

REGION 6 EXECUTIVE SUMMARY

TOPIC: Falcon Refinery Status

DATE: 3/25/13

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PURPOSE/ACTION NEEDED: Status Update

DEADLINE DATE: N/A

BACKGROUND: Historic Removal/Remedial Site with PRPs with difficulty meeting established timeframes due to funding.

08/12/03: Action Memo for Oversight Costs Signed to be included in AOC (\$99,993)
06/09/04: Removal/Remedial AOCs issued to NORCO
2007/2008: NORCO conducts RI Sampling
03/28/11: Work Takeover for default of Removal/Remedial Orders
05/02/11: Agreed Order to resume Removal Action
02/23/12: Sale of Falcon Refinery - Letter Agreement between NORCO and LEH/LTR (closed about 2/29/12)
6/2012: Superior Crude (Leaser) Had a Large Oil Spill (Cleaned up by Superior)
09/29/12: RI/FS Task Order issued to RACS Contractor (\$500K need \$1.2M)
12/2012: Superior Crude (Leaser) Had Another Oil Spill (Cleaned up by Superior)
2/13: Site Management Plan, QAPP, FSP approved for RI/FS
03/20/13: Received Information About a Possible Loan (Green Bank)

CURRENT STATUS:

Removal Action: PRP has stopped removal activities due to funding issues. PRP has pursued additional funding issues and it appears that funding may be available soon through Green Bank with Tetra Tech overseeing the project for the bank. EPA pushing PRP on funding and scheduling in order to meet end of calendar year completion.

Remedial:

Current funding not sufficient to address the currently identified needs for the RI. In the process of reviewing the data to identify any additional cost savings to allow the RI to be completed in a timely and efficient manner.

- Have expended \$62,186 of \$500 K obligated to TO 0088
- Have requested initial pipeline funds (250K) to complete RI/FS
- Reviewing existing data with Risk Assessors to determine if sampling effort should be reduced Requested Houston Lab and CLP program conduct analytical work for RI/FS .
- Sampling/field work to be scheduled with contractor after data review is completed and Houston Lab CLP responds to request decrease the funding necessary to complete the RI/FS. for analytical work. Expect to be able to do field work in June-August timeframe.

ENVIRONMENTAL/PUBLIC HEALTH CONCERNS:

The current health concerns are associated with the potential for release of hazardous substances into the environment which could impact public health and wetlands.

TECHNICAL CONCERNS:

- Removal Action – PRP’s ability to fund and complete the removal action.
- Remedial Program – EPA’s ability to fund and complete the Remedial Investigation and subsequent Remedial Activities.

REGULATORY/LEGAL REQUIREMENTS:

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COMMUNITY CONCERNS:

- There are currently no known community concerns.
- The EPA will conduct a public meeting/availability session with the community prior to conduct of EPA funded RI Activities.

RECOMMENDATIONS:

Removal Program is closely evaluating the bank funding being sought by the PRP to complete the removal activities.

Remedial Program requires additional funding to successfully complete a comprehensive RI in a timely manner.



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